

SCOTTSDALE

# CITY COUNCIL MEETING

## AGENDA



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### COUNCIL

Mary Manross, Mayor

Wayne Ecton

Robert W. Littlefield

Cynthia Lukas

Ned O'Hearn

David Ortega

Tom Silverman

Tuesday, February 18, 2003

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### MARKED AGENDA

**5:00 P.M.**

### CITY COUNCIL MEETING

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:07 P.M.**

**Roll Call** – **ALL PRESENT**

**Pledge of Allegiance** - **GIRL SCOUT TROOP #383 FROM ZUNI SCHOOL**

**Invocation** – **MR. DARRELL CRUM, MINISTER OF SMALL GROUPS FROM SCOTTSDALE BIBLE CHURCH**

### Presentation

Salt River Project Centennial Resolution – **PRESIDENT OF SRP, BILL SCHRADER**

National Engineer's Week – **PROCLAMATION ACCEPTED BY ALEX McLAREN**

### Information Update

Pima Freeway Noise Update – **JOHN LITTLE**

**Public Comment - BOB WILLIS** – EXPLAINED THAT HE HAS NOTICED A REDUCTION IN THE NOISE LEVEL ORIGINATING FROM THE FREEWAY SINCE RUBBERIZED ASPHALT WAS INSTALLED. HE REQUESTED THAT THE EXISTING 8' WALL BE INCREASED TO A HEIGHT OF 10' TO MITIGATE THE NOISE FROM LARGE TRUCKS; **MARK MEXAL** – ENCOURAGED THE COUNCIL TO MOVE FORWARD WITH THEIR EFFORTS TO MITIGATE NOISE ALONG THE FREEWAY WHILE KEEPING IN MIND THAT RUBBERIZED ASPHALT INSTALLATION MAY NOT SOLVE THE ENTIRE PROBLEM; **BOB BAGLEY** EXPRESSED CONCERN THAT THERE ARE SOME TERMS AND CONDITIONS IN THE CITY'S CONTRACTS THAT ELIMINATE LARGE COMPANIES FROM COMPETING FOR THE CITY'S BUSINESS; **DEBORAH ANDRADE** – EXPRESSED DISCONTENTMENT WITH THE TREND PROPOSAL FOR THE SMITTY'S SITE; **FRANK BOGGS** – EXPLAINED WHY HE DOESN'T SUPPORT THE TREND PLAN FOR THE SMITTY'S SITE; **R. LAMAR WHITMER** – STATED THAT THE TREND PROPOSAL HAD THE LEAST NEIGHBORHOOD SUPPORT OF ALL THE PROPOSALS AND EXPRESSED HIS BELIEF THAT THE DECISION TO WORK WITH TREND WAS A BREACH OF FAITH; **LYLE WURTZ** – REQUESTED THAT THE CITY RETAIN THE CURRENT SENIOR CENTER PROPERTY ONCE THE NEW CENTER IS BUILT. HE STATED SUPPORT FOR THE PLAN ALTHOUGH HE ASKED THAT THE CITY DOESN'T PLACE 3-STORY HOMES ON THE FORMER SMITTY'S PROPERTY.

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

**Minutes – OK – 7/0**

SPECIAL MEETINGS

REGULAR MEETINGS  
January 21, 2003

EXECUTIVE SESSIONS

1. **Sugars Liquor license – OK- C**  
**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 6 (bar) State liquor license.  
**Location:** 7624 E. Indian School Rd. Ste 113  
**Reference:** 106-LL-2002  
**Staff Contact(s):** Jeff Fisher, Plan and Permit Services Interim Director, 480-312-7619, [jfisher@ScottsdaleAZ.gov](mailto:jfisher@ScottsdaleAZ.gov)
2. **Pinata Nueva Liquor License – OK- C**  
**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license.  
**Location:** 14850 N. Frank Lloyd Wright Blvd.  
**Reference:** 107-LL-2002  
**Staff Contact(s):** Jeff Fisher, Plan and Permit Services Interim Director, 480-312-7619, [jfisher@ScottsdaleAZ.gov](mailto:jfisher@ScottsdaleAZ.gov)
3. **Pima & Via Dona R.O.W. Abandonment – OK- C**  
**Request:** Adopt Resolution Number 6249 effectuating the approved abandonment of an internal cul-de-sac along the 87<sup>th</sup> Street alignment located immediately south of Via Dona Road.  
**Location:** Southwest Corner of Pima & Via Dona Road  
**Reference:** 3-AB-2001  
**Staff Contact(s):** Cheryl Sumners, Senior Planner, 480-312-7834, [csumners@ScottsdaleAZ.gov](mailto:csumners@ScottsdaleAZ.gov)
4. **Rezone of Scottsdale Bead Supply & Sale of a Vacant City Parcel – Continued to March 3, 2003. – CONTINUED – OK – C---NOTING DATE CORRECTION**
5. **Mirabel Village 2 Subdivision Replat – OK- C**  
**Request:** approve a Replat of Lots 48, 49 and Tract “C” of the Mirabel Village 2 Subdivision.  
**Location:** Cave Creek Rd & Stonehaven Dr  
**Reference:** 2-PP-2000#2  
**Staff Contact(s):** Kira Wauwie, Project Coordination Manager, 480-312-7061, [kwauwie@ScottsdaleAZ.gov](mailto:kwauwie@ScottsdaleAZ.gov)
6. **Architectural Services Contract for Downtown Parking Structures – OK- C**  
**Request:** Authorize Architectural Services Contract No. 2003-022-COS with Dick & Fritsche Design Group in the amount of \$798,021.00 for architectural design services for Downtown Parking Structures.  
**Staff Contact(s):** Corey E. Lew, Project Manager, (480) 312-7769, [clew@scottsdaleaz.gov](mailto:clew@scottsdaleaz.gov)

7. **Engineering Services Contract for design of 96<sup>th</sup> Street Improvements (Shea to Thunderbird) and initiate negotiations for the right-of-way/easements (ROW) needed for the 96<sup>th</sup> Street Improvements (Shea to Thunderbird) and set a maximum limit of \$5,000 for the administrative purchase of ROW. – OK- C**

**Request:** Authorize Engineering Services Contract No. 2003-021-COS with Stantec Consulting Engineers in the amount of \$428,789.00 for the engineering design of 96<sup>th</sup> Street Improvements (Shea to Thunderbird), and

Adopt Resolution No. 6253 authorizing the initiation of negotiations for the acquisition of 16 various parcels of ROW from nine property owners for the 96<sup>th</sup> St. Improvements project (Shea – Thunderbird Rd.), and setting a maximum limit of \$5,000 for the administrative purchase of the necessary ROW.

**Related Policies, References:**

- a. Cactus Corridor Equestrian Overlay District
- b. Bond 2000 CIP Project

**Staff Contact(s):** Corey E. Lew, Project Manager, (480) 312-7769, [clew@ci.scottsdale.az.us](mailto:clew@ci.scottsdale.az.us); Rhonda Thomas, Right of Way Agent, (480) 312-7847, [Rthomas@scottsdaleaz.gov](mailto:Rthomas@scottsdaleaz.gov)

8. **Consent to a Sublease between Boys and Girls Clubs of Scottsdale and VoiceStream PCS III, d.b.a. T-Mobile on Ground Lease Property at Scottsdale Ranch Park – OK- C**

**Request:** Adopt Resolution No. 6243 consenting to a sublease between the Boys and Girls Clubs of Scottsdale (“Club”) and T-Mobile for the installation of low power, rooftop mounted, wireless communication equipment on the existing Club facility located at Scottsdale Ranch Park, 10400 East Via Linda Street.

**Related Policies, References:** Original Ground Lease Agreement No. 870366 dated April 4, 1988; Amended Ground Lease Agreement increasing land area from 1.57 acres to 1.66 acres dated April 30, 1990; Resolution No. 5689 amending Ground Lease Agreement increasing land area from 1.66 acres to 3.10 acres dated December 4, 2000; Resolution No. 6159 authorizing an amendment to Agreement No. 870366A allowing for additional non-recreational uses of the property dated October 7, 2002.

City of Scottsdale Zoning Ordinance, Section 5.402 A. 1., the R1-10 (Residential) District, Section 3.100 (PWSF Minor) and Section 7.200 H. The site received Development Review administrative approval on May 3, 2002 (Attachment No. 3).

**Staff Contact(s):** Ron King, Asset Management Coordinator, (480) 312-7042, [rking@scottsdaleaz.gov](mailto:rking@scottsdaleaz.gov) Don Penfield, Community Services Advisor, (480) 312-7921, [dpenfield@scottsdaleaz.gov](mailto:dpenfield@scottsdaleaz.gov)

9. **Corporate and Association Meetings Industry Research and Market Analysis – OK- C**

**Request:** As recommended by the Tourism Development Commission, Council is requested to:

- A.) Adopt Resolution No. 6255 authorizing funds in the amount of \$25,000 for the preparation of a Research and Market Analysis of the meetings industry.
- B.) Approve Contract No. 2003-014-COS with Gerard Murphy and Associates for the preparation of that analysis.

**Staff Contact(s):** Kathy Carlisle O’Connor, Tourism Development Manager, Economic Vitality Department, (480) 312-7057, [kcoconnor@scottsdaleAZ.gov](mailto:kcoconnor@scottsdaleAZ.gov)

# CONSENT AGENDA

Tuesday, February 18, 2003

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**10. 2002-2003 “Signature Events” – OK- C**

**Request:** Authorize Event Promotion funds in the amount of \$164,288 from the Bed Tax as recommended by the Tourism Development Commission (TDC) for the following 2002-2003 Signature Events:

<u>Signature Event</u>	<u>Actual FY02-03</u>	<u>Recommended FY01-02</u>
Arizona Sun Country Quarter Horse Show	\$12,624	\$15,780
Barrett-Jackson Classic Car Auction	\$20,000	\$25,000
National Festival of the West	\$12,432	\$15,540
IMG Men’s and Women’s Tennis Classic	\$16,560	\$20,700
Parada del Sol	\$12,144	\$15,180
Phoenix Open	\$20,000	\$25,000
Scottsdale Arabian Horse Show	\$20,000	\$25,000
Scottsdale Downtown Art Walks	\$20,000	\$25,000
Scottsdale Culinary Festival	\$15,312	\$19,140
Thunderbird Balloon Classic	\$15,216	\$19,020
<b>TOTAL</b>	<b>\$164,288</b>	<b>\$205,360</b>

Authorize and direct the Tourism Development Manager to execute, on behalf of the City, individual agreements with each approved Signature Event Producer substantially in the form of Exhibit A. (sample contract);

Adopt Resolution No. 6254 authorizing funding awards for 2002-2003 Signature Events and authorize the City to execute individual agreements with each event producer.

**Staff Contact(s):** Kathy Carlisle O’Connor, Tourism Development Manager, Economic Vitality Department. (480 312-7057, [kcoconnor@scottsdaleAZ.gov](mailto:kcoconnor@scottsdaleAZ.gov))

**11. Approve Collection Agreement COS #2003-013-COS with and Accept \$30,000 Financial Contribution from the Arizona Game and Fish Department to Support the McDowell Sonoran Preserve – OK- C**

**Request:** Approve Collection Agreement COS #2003-013-COS between Scottsdale and the Arizona Game and Fish Department (AG&F) authorizing acceptance of a \$30,000 cash contribution from AG&F for the provision of shade ramadas and information kiosks at selected access areas or trail-heads supporting the McDowell Sonoran Preserve. This is a cash contribution, no matching funds are required.

**Related Policies, References:** This action directly supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and a sub-goal under Goal B: Create learning opportunities in the Preserve.

**Staff Contact(s):** Robert Cafarella, AICP, Director, 480-312-2577 ([rcafarella@scottsdaleaz.gov](mailto:rcafarella@scottsdaleaz.gov))

**Regular Agenda begins on the following page**

**12. Architectural Services contract for Streetscape Improvements along McDowell Road - OK – 7/0**

**Request:** Authorize Architectural Services Contract No. 2003-026-COS with EDAW, Inc., in the amount of \$ 580,442.00 for the design of streetscape improvements along McDowell Road from 64<sup>th</sup> Street to Pima Road.

**Related Policies, References:**

1991 McDowell Streetscape Guidelines

McDowell Corridor Improvements Master Plan

**Staff Contact(s):** Marek Urbanek, CPM Project Manager, 480-312-2563, murbanek@scottsdale.az.gov

**13. Consider options relating to Los Arcos – MOTION TO DIRECT STAFF TO NEGOTIATE A REDEVELOPMENT AGREEMENT FOR LOS ARCOS WITH THE ELLMAN COMPANY AND BRING IT BACK FOR COUNCIL CONSIDERATION AS QUICKLY AS POSSIBLE UNDER THE FOLLOWING GENERAL PARAMETERS: 1) THE DEVELOPMENT SHALL BE A VERY HIGH QUALITY RETAIL CENTER, ANCHORED BY WALMART, SAMS, AND LOWE'S, AND CONTAINING APPROX. 40,000 SQ. FT. OF ADDITIONAL NEIGHBORHOOD RETAIL SERVICES; 2) IT SHALL CONTAIN SIGNIFICANT AMENITIES, UPGRADED FACADES AND LANDSCAPING, HIGH QUALITY MATERIALS, AND OTHER UPGRADED FEATURES; 3) IT SHALL BE BUILT WITHIN THE EXISTING ZONING GUIDELINES MEANING NO VARIANCES FOR SUCH THINGS AS HEIGHT OR SETBACKS, AND SPECIAL CONSIDERATION SHALL BE GIVEN TO ADJACENT NEIGHBORHOODS; 4) CITY SHALL EXPEDITE ALL NECESSARY APPROVALS, AND THE DEVELOPER SHALL OPEN THE ENTIRE FACILITY INCLUDING THE PUBLICLY OWNED PORTIONS OF THE PROJECT AS SOON AS POSSIBLE, BY A DATE TO BE SET OUT IN THE DEVELOPMENT AGREEMENT; 5) THE CITY WILL FINANCIALLY PARTICIPATE IN THIS TRANSACTION BY SHARING 49% OF THE TOTAL SALES TAX RECEIVED FROM THE SITE WITH THE DEVELOPER FOR A PERIOD OF UP TO 40 YEARS (FOR THE ORIGINAL USES AND COMPARABLE REPLACEMENT USES) UP TO A MAXIMUM OF \$31.75 MILLION PLUS INTEREST, AND MAY QUALIFY FOR AN ADDITIONAL \$10.0 MILLION PLUS INTEREST IF PROJECT SUCCESS EXCEEDS PROJECTED SALES LEVELS. THIS SHARING IS ON A PERFORMANCE BASIS ONLY AND THERE ARE NO GUARANTEES FROM THE CITY THAT THE DEVELOPER WILL EVER BE ABLE TO RECOUP THIS AMOUNT. THERE IS NO UPFRONT CONTRIBUTION FROM THE CITY FOR THIS PROJECT, AND THE CITY WILL RECEIVE 100% OF ALL OTHER TAX REVENUES SUCH AS PROPERTY TAX AT NORMAL RATES. THE CITY'S DEDICATED SALES TAX FUNDS FOR PRESERVATION AND TRANSPORTATION ARE FULLY PROTECTED; 6) IN EXCHANGE FOR ITS PARTICIPATION, THE CITY WILL RECEIVE TITLE TO THE LAND THAT THE PARKING IS LOCATED ON AND TO THE PARKING GARAGE WITH DEVELOPER OR MAJOR TENANTS TO OPERATE AND MAINTAIN. TENANTS WILL HAVE A PARKING EASEMENT; 7) THE CITY WILL OWN AND CAN DEVELOP APPROXIMATELY 3 ACRE PARCEL EAST OF 74<sup>TH</sup> STREET SUBJECT TO AN OBLIGATION TO PROVIDE PARKING FOR ELLMAN'S PROJECT. - OK - 7/0**

**MOTION TO AMEND BULLET POINT NUMBER 5 IN THE ORIGINAL MOTION TO READ, "THE CITY WILL FINANCIALLY PARTICIPATE IN THE TRANSACTION BY SHARING AN AMOUNT THAT MAY BE LESS THAN 49% OF THE TOTAL SALES TAX FROM THE SITE FOR A PERIOD OF LESS THAN 40 YEARS – THE MOTION DIED FOR LACK OF A SECOND**

**Request:** At the request of Councilwoman Lukas discuss the potential of the City issuing a Request For Proposals (RFP) for development of the vacant Los Arcos site.

**Related Policies, References:**

- Council forms Los Arcos Redevelopment District 12/18/95
- Los Arcos Redevelopment Plan adopted 7/2/96
- Original Los Arcos Request for Proposals Issued 7/18/97
- Council Action on preferred Smith Group development option 2/5/02

# REGULAR AGENDA

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Tuesday, August 27, 2002

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**Staff Contact(s):** David Roderique, Economic Vitality General Manager, 480-312-7601,  
[droderique@scottsdaleaz.gov](mailto:droderique@scottsdaleaz.gov)

**Public Comment - JANE WHITE – SPOKE AGAINST THE TRANSPORTATION TAX**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action will be taken on these items.

**City Manager's Report - NONE**

**Mayor and Council Items - NONE**

**Adjournment - 8:43 P.M.**